



Virginia  
Regulatory  
Town Hall

## Periodic Review and Retention of Existing Regulations Agency Background Document

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| <b>Agency Name:</b>        | State Board of Social Services |
| <b>VAC Chapter Number:</b> | 22 VAC 40-800                  |
| <b>Regulation Title:</b>   | Family-Based Social Services   |
| <b>Action Title:</b>       | Comprehensive Update           |
| <b>Date:</b>               | June 18, 2003                  |

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

### Summary

*Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.*

This regulation describes the philosophy of social service family-based practices of the Department of Social Services (Department) and local departments of social services. Specifically, the family is and should continue to be the central structure around which a caring and self-sufficient society must be built. The family is the best environment for raising and caring for vulnerable family members. Accordingly, the family must be able to provide the necessary protection, shelter, and education for its members in order to be self-sufficient. The regulation also identifies mandated and optional service provisions for targeted populations.

## Basis

*Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.*

Pursuant to § 63.2-217 of the Code of Virginia, (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+63.2-217>), the State Board of Social Services has authority to promulgate rules and regulations necessary for the operation of public assistance and social services programs. The regulation does not exceed the scope of the mandate.

## Public Comment

*Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

No public comment was received during the notice period. An informal advisory group was not formed for purposes of assisting in the periodic review.

## Effectiveness

*Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation's impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.*

The goal of this regulation is to focus service delivery for services and benefit programs on the family, rather than the individual, in order to strengthen family life and to keep families together. The regulation is necessary to protect the health, safety and welfare of citizens by making the family, not the individual, the focus of services and benefit programs for the purpose of strengthening family life and independence. The purpose is to support and enable the family to be the best environment for raising children and caring for vulnerable family members, and to enable the family to provide the necessary protection, shelter, and education for its members. The regulation is clearly written and easily understandable by the individuals and entities affected.

### Alternatives

*Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.*

There is no better alternative for achieving the purpose of the existing regulation. The only alternative is to eliminate the regulation and incorporate sections into multiple regulations but this alternative would result in duplication and confusion.

### Recommendation

*Please state that the agency is recommending that the regulation should stay in effect without change.*

The Department of Social Services recommends that the regulation be retained. Within six to eight months the process to repeal this regulation and replace it with a comprehensive regulation that includes all prevention and permanency regulations will begin.